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FUNDING, LLC

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

SUZAN TAPP,

Plaintiff,

v.

MIDLAND FUNDING, LLC; LEGAL
RECOVERY LAW OFFICES, INC.;
and MARK D. WALSH,

Defendants.

Case No. 12-CV-0872 DMS (DHB)

**JOINT MOTION TO: (1) EXTEND
DISCOVERY CUT-OFF; AND (2)
EXTEND LAW AND MOTION
CUT-OFF DATE BY 60 DAYS**

Plaintiff SUZAN TAPP and Defendants MIDLAND FUNDING, LLC,
LEGAL RECOVERY LAW OFFICES, INC., and MARK D. WALSH, through
their counsel of record, jointly move the Court for an order extending the existing
discovery cut-off date and law and motion cut-off date by sixty (60) days. Grounds
for the motion are that a motion to dismiss the amended complaint under Rule
12(b)(6) is currently pending with a hearing date of February 22, 2013. The current
discovery cut-off date is March 15, 2013, and the current law and motion cut-off
date is April 15, 2013.

Under the current schedule, the parties would have to incur the expense of full
discovery, including numerous out-of-town depositions, while the motion to dismiss
is pending. The parties wish to avoid unnecessary discovery expense until the

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pleadings are closed. Accordingly, the parties request that the current discovery cut-off date be extended from March 15, 2013 to May 17, 2013, and the current law and motion cut-off date be extended from April 15, 2013 to June 17, 2013.

Alternatively, if this requested extension is unacceptable to the Court, the parties request the Court set a conference call to discuss scheduling.

DATED: February 8, 2013

SOLOMON WARD SEIDENWURM &
SMITH, LLP

By: /s/Thomas F. Landers

THOMAS F. LANDERS
LEAH S. STRICKLAND
Attorneys for Defendant MIDLAND
FUNDING, LLC

DATED: February 8, 2013

HYDE & SWIGART

By: /s/Joshua B. Swigart

JOSHUA B. SWIGART
ROBERT L. HYDE
Attorneys for Plaintiff SUZAN TAPP

DATED: February 8, 2013

LEGAL RECOVERY LAW OFFICES, INC.

By: /s/David A. Cotter

DAVID A. COTTER
Attorneys for Defendants LEGAL
RECOVERY LAW OFFICES, INC. and
MARK D. WALSH

Signature Certification

Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies and Procedures Manual, I hereby certify that the content of this document is acceptable to Joshua B. Swigart, counsel for plaintiff, and David A. Cotter, counsel for defendants Legal Recovery Law Offices, Inc. and Mark D. Walsh, that I have obtained Mr. Swigart's and Mr. Cotter's authorization to affix their electronic signature to this document.

/s/ Thomas F. Landers

THOMAS F. LANDERS

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